

AMENDED IN SENATE MARCH 10, 2008

SENATE BILL

No. 1139

Introduced by Senators Cox and Florez

February 4, 2008

An act to add ~~Sections 42283.4 and 42285.5 to~~ *Section 42283.4 to, and to add and repeal Section 42285.5 of*, the Education Code, relating to schools.

LEGISLATIVE COUNSEL'S DIGEST

SB 1139, as amended, Cox. Necessary small high schools: Kings Canyon Unified School District.

Existing law requires a county superintendent of schools to make a funding computation for a school district with fewer than 2,501 units of average daily attendance that has a necessary small school, as defined, or a necessary small high school, as defined. That computation is made based on the number of certificated employees employed and average daily attendance.

This bill would deem the Railroad Flat Elementary School to be a necessary small school and authorize the Calaveras Unified School District to receive necessary small school funding for that school. This entitlement would be terminated if the average daily attendance of the Railroad Flat Elementary School exceeds 100 or the average daily attendance of the school district increases ~~by~~ *to* 5,000, as specified.

The bill also would authorize, *until July 1, 2018*, the Kings Canyon Unified School District to receive necessary small school funding for the Dunlap High School notwithstanding other provisions of law and would terminate that entitlement if the average daily attendance of that high school exceeds ~~286~~ *100*. The school district would be prohibited from claiming necessary small school funding for more than 3 teachers.

This bill would make legislative findings and declarations regarding the need for special legislation.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 42283.4 is added to the Education Code,
2 to read:

3 42283.4. (a) Notwithstanding any other provision of law, the
4 Railroad Flat Elementary School shall be deemed to be a necessary
5 small school, as defined in Section 42283. Notwithstanding any
6 other provision of law, the Calaveras Unified School District is
7 eligible to receive apportionments for the Railroad Flat Elementary
8 School pursuant to Section 42282.

9 (b) If the average daily attendance of the Railroad Flat
10 Elementary School exceeds 100, the school is not eligible to receive
11 apportionments as a necessary small school.

12 (c) If the average daily attendance of the Calaveras Unified
13 School District increases ~~by~~ to 5,000 or more, as compared to the
14 average daily attendance of the school district as of January 1,
15 2008, the Railroad Flat Elementary School is not eligible to receive
16 apportionments as a necessary small school.

17 SEC. 2. Section 42285.5 is added to the Education Code, to
18 read:

19 42285.5. (a) Notwithstanding any other provision of law, the
20 Kings Canyon Unified School District is eligible to receive
21 apportionments for the Dunlap High School pursuant to the
22 schedule for necessary small high schools set forth in Section
23 42284.

24 (b) Notwithstanding subdivision (a), the Kings Canyon Unified
25 School District shall not claim necessary small school funding
26 pursuant to Section 42284 for more than three teachers.

27 (c) If the average daily attendance of the Dunlap High School
28 exceeds ~~286~~ 100, the school district shall no longer be entitled to
29 receive apportionments as set forth in this section.

30 (d) *This section shall become inoperative on July 1, 2018, and,*
31 *as of January 1, 2019, is repealed, unless a later enacted statute,*
32 *that becomes operative on or before January 1, 2019, deletes or*
33 *extends the dates on which it becomes inoperative and is repealed.*

1 SEC. 3. The Legislature finds and declares that a special law
2 is necessary and that a general law cannot be made applicable
3 within the meaning of Section 16 of Article IV of the California
4 Constitution because of the unique circumstances of the Kings
5 Canyon Unified School District and Calaveras Unified School
6 District. The facts constituting the special circumstances that
7 distinguish these districts from other unified school districts are
8 their geographical locations and the distances pupils would
9 otherwise be required to travel to attend school.

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